

Exhibit C

Matthew S. Hale, Esq.
HALE & ASSOCIATES
Calif. State Bar No. 136690
45 Rivermont Drive
Newport News, VA 23601

Mailing Address:
P.O. Box 1951
Newport News, VA 23601

Telephone No. (757) 596-1143
E-Mail: matthale@verizon.net

Attorney for Plaintiffs, DAVID J. LEE and
DANIEL R. LLOYD

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

DAVID J. LEE, and DANIEL R.
LLOYD, as individuals and, on
behalf of others similarly situated,

Plaintiffs,

vs.

AMERICAN EXPRESS TRAVEL
RELATED SERVICES, INC., a New
York corporation, AMERICAN
EXPRESS CENTURION BANK, a
Utah corporation, AMERICAN
EXPRESS BANK, FSB, a Utah
corporation, and DOES 1, through
100, inclusive,

Defendants.

Case No.: C-07-4765 CRB

NOTICE OF APPEAL TO THE
UNITED STATES COURT OF
APPEAL FOR THE NINTH
CIRCUIT

[REPRESENTATION STATEMENT
AND CIVIL APPEALS
DOCKETING STATEMENT,
FILED CONCURRENTLY]

1 DAVID J. LEE and DANIEL R. LLOYD the Plaintiffs/Appellants herein,
2 appeal to the United States Court of Appeals for the Ninth Circuit from the final
3 judgment of the District Court, entered in this case on December 6, 2007
4 (Docketed as No. 35 on December 6, 2007) granting the Defendants' motion to
5 dismiss the Plaintiffs' complaint.
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7 There are no related cases in connection with this appeal.
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9 Dated: December 28, 2007

Respectfully submitted,

11 /s/
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13 _____
14 Matthew S. Hale, Counsel
15 For Plaintiffs/Appellants
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PROOF OF SERVICE

I am employed in the City of Newport News, Virginia. I am over the age of eighteen (18) and not a party to the within action; my business address is P.O. Box 1951, Newport News, VA 23601.

On Friday, December 28, 2007, I caused to be served by Federal Express overnight courier the foregoing documents: (1) Notice of Appeal to the United States Court of Appeal for the Ninth Circuit, (2) Representation Statement, and (3) Civil Appeals Docketing Statement.

The foregoing documents were served on:

Julia B. Strickland
Stroock & Stroock & Lavan, L.L.P.
2029 Century Park East
Los Angeles, CA 90067-3086
(310) 556-5806
jstrickland@stroock.com.

I declare under penalty of perjury, penalty of perjury pursuant to 28 U.S.C. § 1746, that the foregoing is true and correct. Executed on the 28th day of December 2007 in Newport News, Virginia.

/S/

Matthew S. Hale, Esq.